

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

EARL ST. CLAIRE	§	
VS.	§	CIVIL ACTION NO. 1:23-CV-158
UNITED STATES OF AMERICA	§	

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Earl St. Claire, a prisoner previously confined at the United States Penitentiary in Beaumont, Texas, proceeding *pro se*, filed this civil action pursuant to the Federal Tort Claims Act.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. On July 19, 2023, the magistrate judge recommended granting Plaintiff's motion to dismiss the action. To date, the parties have not filed objections to the report.

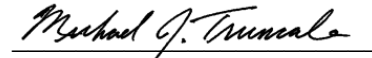
The Court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. Proper notice was given to Petitioner at his last known address. *See* FED. R. CIV. P. 5(b)(2)(C). After careful review, the Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report and Recommendation of United States Magistrate Judge [Dkt. 7] is ADOPTED.

Plaintiff's motion to dismiss [Dkt. 6] is GRANTED. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED this 17th day of August, 2023.

A handwritten signature in black ink, reading "Michael J. Truncala", is positioned above a horizontal line.

Michael J. Truncala
United States District Judge